

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Arthur K. McDuffie,

Plaintiff

v.

Carolyn W. Colvin,

Defendant

Case No.: 2:14-cv-706-JAD-PAL

Order re: Doc. 18

On October 16, 2014, I plaintiff Arthur K. McDuffie and defendant Carolyn W. Colvin stipulated to remand of this social security appeal for further administrative action. Doc. 16 at 1. The clerk of court entered judgment in McDuffie's favor one day later. Doc. 17. The parties stipulated that "[o]n remand, the Appeals Council will instruct the Administrative Law Judge to: further evaluate all of the medical opinions of record . . . and give reasons for the weight assigned in accordance with 20 C.F.R. section 416.927 and Social Security Rulings 96-2p, 96-5p, and 96-8p; reassess Plaintiff's residual functional capacity; and, if warranted, obtain supplemental evidence from a vocational expert at step five." *Id.* at 1-2. On November 10, 2014, plaintiff moved under the Equal Justice Act, 28 U.S.C. § 2412, for attorney fees of \$4,270.05 and the \$400 District Court filing fee, payable from the Judgment Fund. Doc. 18-1 at 1. Colvin has not opposed the motion. Under Local Rule 7-2(d), the failure to respond to the motion constitutes consent to granting the motion and, upon review of plaintiff's motion, I find it has merit and should be granted.

Accordingly, it is HEREBY ORDERED that McDuffie's Motion for Attorney's Fees [**Doc. 18**] is **GRANTED**. McDuffie is awarded attorney fees of \$4,270.05 and the District Court filing fee of \$400, payable from the Judgment Fund, within 20 days of this order.

DATED February 11, 2015.



Jennifer A. Dorsey
United States District Judge